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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,088	12/05/2000	Charles D. Wolfson	STL9-2000-0066US1/1804P	9367
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IBM ST-SVL SAWYER LAW GROUP LLP 2465 E. Bayshore Road, Suite No. 406 PALO ALTO, CA 94303			EXAMINER ADAMS, CHARLES D	
			ART UNIT	PAPER NUMBER
			2164	
			NOTIFICATION DATE	DELIVERY MODE
			11/17/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com

Office Action Summary

Application No.

09/731,088

Applicant(s)

WOLFSON, CHARLES D.

Examiner

CHARLES D. ADAMS

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Remarks

1. In response to communications filed on 20 August 2008, claims 1, 6-7, 12-13, and 18 are amended. Claims 1-18 are pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Chandra et al. (US Patent 6,058,389).

As to claim 1, Chandra et al. teaches:

(a) providing one or more chosen functions in a database system, the one or more functions provided by a messaging system (see 11:45-54 and 12:61-13:12. Users may access these messaging system functions through database queries); and

(b) utilizing one or more chosen functions from the database system within structured query language statements to access the messaging system from the database system, wherein the messaging system is a separate application from the

database system (see 9:14-62 and 12:61-13:12. Though it is stored on the database server of a relational database system, the messaging system is a separate application from the applications that manage the database. Also see 6:29-44, where the program code for managing the database is described. It is clear that the messaging system is a different application).

As to claim 7, Chandra et al. teaches:

at least one computer processing device (see 4:18-35)

a messaging program means installed on the at least one computer processing device for performing messaging functionality (see 9:14-62); and

a database program means installed on the at least one computer processing device, the database program means utilizing one or more chosen functions of the messaging program means via structured query language statements to integrate the messaging system functionality within database functionality of the database program means, wherein the messaging program means is a separate application from the database program means (see 9:14-62, 11:45-54, and 12:61-13:12).

As to claim 13, Chandra et al. teaches:

(a) providing one or more chosen functions in a database system, the one or more functions provided by a messaging system (see 11:45-54 and 12:61-13:12); and

(b) utilizing one or more chosen functions from the database system within structured query language statements to access the messaging system from the

database system, wherein the messaging system is a separate application from the database system (see 9:14-62, 11:45-54, and 12:61-13:12).

As to claims 2, 8, and 14, Chandra et al. teaches wherein step (a) further comprising (a1) adding the one or more chosen functions as user-defined functions in the database system (see Chandra et al. 12:61-13:12 and 16:18-39).

As to claims 3, 9, and 15, Chandra et al. teaches wherein the user-defined functions further comprise functions to place a message on a queue of the messaging system, retrieve at least one message from the queue, non-destructively retrieve all messages from the queue, and read at least one message from the queue (see 12:61-13:12, 16:18-39, and Figure 9A, steps 900-903).

As to claims 4, 10, and 16, Chandra et al. teaches wherein the user-defined functions further specify a service endpoint (see 12:61-13:12).

As to claim 5 and 17, Chandra et al. teaches wherein the user-defined functions further specify a destination and delivery policy (see 12:61-13:12 and 16:18-39).

As to claims 6, 12, and 18, Chandra et al. teaches further comprising providing one or more chosen functions from a publish and subscribe-based messaging system

(see 12:61-13:12 and 16:18-39. Updates may be published and data may be retrieved from databases).

As to claim 11, Chandra et al. teaches wherein the user-defined functions further specify a delivery policy (see 12:61-13:12 and 16:18-39).

Response to Arguments

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES D. ADAMS whose telephone number is (571)272-3938. The examiner can normally be reached on 8:30 AM - 5:00 PM, M - F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. D. A./
Examiner, Art Unit 2164

/Charles Rones/
Supervisory Patent Examiner, Art Unit 2164